

Filed for intro on 02/05/2001  
SENATE BILL 674 By  
Ford J

HOUSE BILL 702  
By Cooper B

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 5, relative to newborn hearing screening.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 5, is amended by adding Sections 3 through 7 of this act as a new part.

SECTION 2. The general assembly finds and declares the following:

(a) That hearing loss occurs in newborns more frequently than any other health condition for which newborn screening is currently required;

(b) That early detection of hearing loss, early intervention, and early follow-up have been demonstrated to be highly effective in encouraging development of a child's health and communication and cognitive skills; and

(c) That such early screening and intervention will serve the public purposes of promoting healthy development of children and reducing public expenditures for health care, special education and related services.

SECTION 3. As used in this part, "hearing screening" or "hearing screening test" means screening or testing provided in accordance with current hearing screening standards established by a nationally recognized organization such as the Joint Committee on Infant

Hearing Screening of the American Academy of Pediatrics. The term "hospital" shall have the meaning provided in Title 68, Chapter 11, Part 2.

SECTION 4. Every newborn infant shall be screened for hearing loss in order to prevent the consequences of unidentified hearing loss unless the parent or parents of the child object on the grounds that the test would conflict with the parent or parents' religious tenets or practices.

SECTION 5. A child born in a hospital shall be screened for hearing loss prior to discharge from that facility. The attending health care professional shall refer a child born in a setting other than a hospital to the department of health for hearing screening. To the extent of existing funding, such screening may be provided through the Tennessee School for the Deaf. The hearing screening test shall be provided in accordance with current hearing screening standards established by a nationally recognized organization such as the Joint Committee on Infant Hearing Screening of the American Academy of Pediatrics.

SECTION 6. Any entity that conducts the hearing screening, including any hospital, the department of health or the Tennessee School for the Deaf, shall refer any child who does not pass the hearing screening to the Tennessee Early Intervention System of the department of education or to an appropriate primary care provider for follow up.

SECTION 7. The department of health, in consultation with the department of education, shall promulgate rules and regulations in accordance with the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5, to effectuate the provisions of this act.

SECTION 8. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 9. For purposes of promulgating rules and regulations, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 2, 2002, the public welfare requiring it.

